From: Bird, Patrick

Sent: Tuesday, November 24, 2015 11:56 AM

To: Modak, Nabanita Subject: RE: OSWI

Will do. Would you prefer 1-on-1 talks? The reason I ask is we have an air toxics workshop with our states happening next week, and I have the floor for ~20 mins. I could raise this then if you think that would be appropriate. If not, I can follow up with them individually.

Thanks, and I do appreciate you getting back to me with an overview.

Pat

Patrick Bird U.S. EPA - Region 1 5 Post Office Square, OEP05-2 Boston, MA 02109-3912 Phone: 617-918-1287

Email: bird.patrick@epa.gov

From: Modak, Nabanita

**Sent:** Tuesday, November 24, 2015 10:55 AM **To:** Bird, Patrick < Bird. Patrick@epa.gov>

Subject: FW: OSWI Importance: High

Fax: 617-918-0287

Hi Pat,

FYI, at this point (before FR notice to OMB), the agency would prefer to talk to the states rather than sending an e-mail. So, please do not forward the following e-mail to the states. Please use this e-mail as an internal EPA reference when you talk to the states.

Regards Nabanita

From: Modak, Nabanita

Sent: Monday, November 23, 2015 4:56 PM

To: Gordon, Michael <Gordon.Mike@epa.gov>; Bird, Patrick <Bird.Patrick@epa.gov>

Subject: OSWI

Mike and Pat,

It has been 3 weeks since I had promised to send a short description about OAR's current effort to initiate ICR for OSWI and eventually revise the 2005 rule.

Mike, I believe you wanted to send an e-mail to the state of MD and Pat, wanted some additional information in order to better understand this initiative. Here is a brief description:

EPA published OSWI rule covering only very small municipal waste combustors (VSMWC) and institutional waste incinerators (IWI) in 2005. All other OSWI units were excluded. In 2007, CISWI definition rule got vacated and the Court held that any unit combusting any solid waste must be regulated under section 129. Therefore, EPA has mandatory duty

to regulate all OSWI units under section 129. EPA recognized standards and successively stated intention to initiate an ICR process and eventually revise 2005 OSWI rule.

(b) (5) OSWI subcategories typically include:

- Very small municipal waste combustors (< 35 tpd)</li>
- Institutional waste incinerators (incinerators that combust contraband or prohibited goods)
- Pathological waste incineration units (including, chemotherapeutic, low-level radioactive, pet crematories etc)
- Co-fired combustors
- Incinerators used for national security
- Temporary-use incinerators/Air Curtain Incinerators used in disaster recovery
- Rural institutional waste incinerators
- Incinerators/Air Curtain Incinerators (ACI) located in isolated areas of Alaska

### Why are no data available?

No data were collected during OSWI 2005 rule making. MACT floors for very small municipal waste combustors and institutional waste incinerators were based on Hospital Medical Infectious Waste Incinerator (HMIWI) and Small Municipal Waste Combustors (SMWC) data instead of levels achieved in practice by OSWI units.

Data regarding exact locations and sizes of OSWI units are not available. However, due to the nature and applications of the OSWI units it can be safely assumed that the OSWI units can exist anywhere in the nation in close proximity to humans and in the tribal lands. No data vailable about the typical control approach adopted by the OSWI units.

(b) (5)	we do not have test data available for any OSWI subcategories (b) (5)
(b) (5)	We need to set standards levels achieved in practice by OSWI units. EPA is exploring
availability of state and local air p	permit data for solid waste. We are aware that most of the OSWI facilities are not
technically sophisticated i.e. no	real data logging system. We have very limited data for the existing and new sources
which are not updated. (b) (5)	

It would be very helpful if states could share any information or data regarding this.

Thanks Nabanita

Nabanita Modak Fischer, Fuel and Incineration Group Sector Policies and Program Division Office of Air Quality Planning and Standards U.S. Environmental Protection Agency 109 TW Alexander Drive, Mail Code E143-05 RTP, N. C. 27711 (919) 541-5572

From: Gordon, Michael

Sent: Tuesday, November 24, 2015 8:54 AM

To: Modak, Nabanita Subject: RE: OSWI

Thanks, Nabanita! Is it ok to pass this info along to MD? I'd like to send them an email explaining what information we need and a little bit of background.

Mike Gordon
Environmental Engineer
Office of Permits and State Programs
Air Protection Division
EPA Region III
1650 Arch Street
Philadelphia, PA 19103
(215)-814-2039
Gordon.Mike@epa.gov

From: Modak, Nabanita

Sent: Monday, November 23, 2015 4:56 PM

To: Gordon, Michael <Gordon.Mike@epa.gov>; Bird, Patrick <Bird.Patrick@epa.gov>

Subject: OSWI

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#### (b) (5)

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It would be very helpful if states could share any information or data regarding this.

Thanks Nabanita

Nabanita Modak Fischer, Fuel and Incineration Group Sector Policies and Program Division Office of Air Quality Planning and Standards U.S. Environmental Protection Agency 109 TW Alexander Drive, Mail Code E143-05 RTP, N. C. 27711 (919) 541-5572

From: Gordon, Michael

Sent: Tuesday, November 24, 2015 10:50 AM

To: Modak, Nabanita Subject: RE: OSWI

Got it. Thank you.

Mike Gordon
Environmental Engineer
Office of Permits and State Programs
Air Protection Division
EPA Region III
1650 Arch Street
Philadelphia, PA 19103
(215)-814-2039
Gordon.Mike@epa.gov

From: Modak, Nabanita

**Sent:** Tuesday, November 24, 2015 10:46 AM **To:** Gordon, Michael <Gordon.Mike@epa.gov>

Subject: RE: OSWI

## (b) (5)

From: Gordon, Michael

Sent: Tuesday, November 24, 2015 8:54 AM

To: Modak, Nabanita < Modak. Nabanita@epa.gov >

Subject: RE: OSWI

Thanks, Nabanita! Is it ok to pass this info along to MD? I'd like to send them an email explaining what information we need and a little bit of background.

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Environmental Engineer
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Air Protection Division
EPA Region III
1650 Arch Street
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(215)-814-2039
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Sent: Monday, November 23, 2015 4:56 PM

To: Gordon, Michael <Gordon.Mike@epa.gov>; Bird, Patrick <Bird.Patrick@epa.gov>

Subject: OSWI

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It would be very helpful if states could share any information or data regarding this.

Thanks Nabanita

Nabanita Modak Fischer,

Fuel and Incineration Group Sector Policies and Program Division Office of Air Quality Planning and Standards U.S. Environmental Protection Agency 109 TW Alexander Drive, Mail Code E143-05 RTP, N. C. 27711 (919) 541-5572

From: Sieffert, Margaret

Sent: Monday, November 02, 2015 10:41 AM

To: Modak, Nabanita

Subject: RE: CISWI inventory question Attachments: Indiana OSWI request.PDF

I only am aware of Indiana's as they submitted a State Plan. Attached is their submittal which lists an inventory.

As for the other states, I am not sure if they have that specific information but if you would like me to send a message to my state contacts except Indiana. Let me know and I will but lets wait until I get CISWI back first. ©

-Margaret

From: Modak, Nabanita

Sent: Monday, November 02, 2015 9:21 AM

To: Sieffert, Margaret <Sieffert.Margaret@epa.gov>

Subject: RE: CISWI inventory question

Thanks Margaret! Appreciate your help.

On a separate note, as I mentioned during the 129 monthly call, OAR has decided to go ahead and initiate a data collection effort for OSWI for possible revision of 2005 OSWI rule. I was wondering if you are aware of any database (related to **OSWI**) maintained by the states in region 5. I am basically looking for database that could give us information on the following or any of the following:

- Types of incinerators
- Types of waste
- Number of incinerators
- Whether the incinerators were temporary or permanent
- Process type (batch or continuous)
- Emission data (if any)

I am looking for information related to very small MWC, institutional waste incinerators, and pathological waste incinerators. It is important for us to find out if there are any existing database which may save the facilities from spending \$20K -\$50K for ICR testing to generate new data. Please let me know if you think it's worth to place a call with the states (if any) in region 5 to find out what they have for OSWI units.

**Thanks** Nabanita

From: Sieffert, Margaret

Sent: Monday, November 02, 2015 9:38 AM To: Modak, Nabanita < Modak. Nabanita@epa.gov>

Subject: FW: CISWI inventory question

#### Here is a response from Indiana.

## Thanks, Margaret

From: Compton, Nathan [mailto:NCompton@idem.IN.gov]

Sent: Monday, November 02, 2015 8:34 AM

To: Sieffert, Margaret < <a href="mailto:Sieffert.Margaret@epa.gov">Sieffert.Margaret@epa.gov</a>>

**Cc:** Bem, Susan < <u>SBEM@idem.IN.gov</u>> **Subject:** RE: CISWI inventory question

## Margaret,

We are not aware of any CISWI facilities in Indiana that burn Creosote Treated Railroad Ties. I have reviewed the permits and recent inspection reports for all of our potentially affected sources and found no mention of CTRT being utilized as a fuel. Please let us know if you have any information that would suggest otherwise and we can look into it further.

Thanks, Nathan Compton

From: Sieffert, Margaret

Sent: Tuesday, November 29, 2016 7:57 AM

To: Modak, Nabanita Subject: FW: OSWI inventory

From: King, Suzanne

Sent: Tuesday, November 17, 2015 8:31 AM

To: Sieffert, Margaret <Sieffert.Margaret@epa.gov>

Subject: RE: OSWI inventory



From: Sieffert, Margaret

Sent: Monday, November 16, 2015 10:42 AM To: King, Suzanne <king.suzanne@epa.gov>

**Subject:** OSWI inventory

Suzanne, Do we have access to pull an inventory per the request of OAQPS or should I go ahead and send a message to my 129 state contacts to see if they could provide an inventory? Below is the message request from my 129 OSWI contact at OAQPS. IDEM is the only state that has provided an inventory since they submitted their state plan (inventory is required). The other states are waiting for the federal plan.

Thanks, Margaret

\_\_\_\_\_

On a separate note, as I mentioned during the 129 monthly call, OAR has decided to go ahead and initiate a data collection effort for OSWI for possible revision of 2005 OSWI rule. I was wondering if you are aware of any database (related to **OSWI**) maintained by the states in region 5. I am basically looking for database that could give us information on the following or any of the following:

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## Thanks Nabanita

From: Sieffert, Margaret

Sent: Monday, November 02, 2015 9:38 AM

To: Modak, Nabanita < Modak. Nabanita@epa.gov >

Subject: FW: CISWI inventory question

Here is a response from Indiana.

Thanks, Margaret

From: Compton, Nathan [mailto:NCompton@idem.IN.gov]

Sent: Monday, November 02, 2015 8:34 AM

**To:** Sieffert, Margaret < <u>Sieffert.Margaret@epa.gov</u>>

**Cc:** Bem, Susan < SBEM@idem.IN.gov > **Subject:** RE: CISWI inventory question

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Thanks,
Nathan Compton

From: Hanlon, Lisa

**Sent:** Friday, October 09, 2015 8:34 AM

To: Modak, Nabanita
Subject: RE: Database for waste

#### Hi Nabanita:

I think Kansas has a database on all of their incinerators because they have their own (very old and not very restrictive) Incinerators Rule. Iowa might have one, but that's just a guess. I doubt Missouri or Nebraska has their own database of incinerators.

When you're ready, I'd be happy to contact my states to ask.

Have a nice weekend and Columbus Day!

Lisa

Lisa Hanlon
U.S. EPA Region 7
Air Permitting and Compliance
11201 Renner Blvd.
Lenexa, KS 66219
913-551-7599
hanlon.lisa@epa.gov

From: Modak, Nabanita

Sent: Thursday, October 08, 2015 2:02 PM

To: Morrison, Kendra < Morrison. Kendra@epa.gov>; Hanlon, Lisa < Hanlon. Lisa@epa.gov>

Subject: Database for waste

#### Hi Kendra and Lisa,

Hope this note finds both of you well. I am writing this e-mail because in past, you both have responded to the enquiries related to OSWI and I truly believe you both have been very responsive.

I was wondering if you are aware of any database (related to **OSWI**) maintained by the states. I am basically looking for database that could give us information on the following or any of the following:

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I am looking for information related to very small MWC, institutional waste incinerators, and pathological waste incinerators. I was wondering if you have any information on states maintaining any database on these types of incinerators. OAR has decided to go ahead and initiate a data collection effort for OSWI. (6)

Please let me know if you are aware of any

database maintained by the state.

Thanks for your help in advance.

Nabanita

Nabanita Modak Fischer,

Fuel and Incineration Group Sector Policies and Program Division Office of Air Quality Planning and Standards U.S. Environmental Protection Agency 109 TW Alexander Drive, Mail Code E143-05 RTP, N. C. 27711 (919) 541-5572

From: Hanlon, Lisa

**Sent:** Monday, November 16, 2015 10:29 AM

To: Modak, Nabanita Subject: RE: OSWI

No, I haven't heard back from them. Even when I politely nudged them a short while back when you asked. Hmm... I'm out the rest of this week for hearings, but will put on my calendar to **call** KDHE on Monday. Lisa

Lisa Hanlon
U.S. EPA Region 7
Air Permitting and Compliance
11201 Renner Blvd.
Lenexa, KS 66219
913-551-7599
hanlon.lisa@epa.gov

From: Modak, Nabanita

**Sent:** Monday, November 16, 2015 9:27 AM **To:** Hanlon, Lisa < Hanlon. Lisa@epa.gov>

Subject: OSWI

Hi Lisa,

I forgot to mention an important point during our OSWI discussion last month. (b) (5)

am sorry I forgot to mention this during our conversation last month. BTW, did you hear back

from them?

Thanks Nabanita

Nabanita Modak Fischer, Fuel and Incineration Group Sector Policies and Program Division Office of Air Quality Planning and Standards U.S. Environmental Protection Agency 109 TW Alexander Drive, Mail Code E143-05 RTP, N. C. 27711 (919) 541-5572

From: Morrison, Kendra

Sent: Thursday, November 05, 2015 11:34 AM

**To:** Modak, Nabanita **Subject:** RE: Database for waste

Sure! I'll make it work.

#### Kendra

From: Modak, Nabanita

Sent: Thursday, November 05, 2015 8:12 AM

To: Morrison, Kendra

Subject: RE: Database for waste

#### Kendra,

Is it okay if I call you around 1:45 ET? I am sorry, I am trying to juggle all these meetings together. Please let me know.

# Thanks nabanita

From: Morrison, Kendra

**Sent:** Wednesday, November 04, 2015 7:36 PM **To:** Modak, Nabanita < <u>Modak.Nabanita@epa.gov</u>>

Subject: RE: Database for waste

Hi Nabanita,

That works for me, thanks!

#### Kendra

From: Modak, Nabanita

Sent: Wednesday, November 04, 2015 12:48 PM

To: Morrison, Kendra

**Subject:** RE: Database for waste

#### Does 2 PM ET work for you?

From: Morrison, Kendra

**Sent:** Wednesday, November 04, 2015 1:31 PM **To:** Modak, Nabanita < <u>Modak.Nabanita@epa.gov</u>>

Subject: RE: Database for waste

Hi Nabanita,

Were you thinking 2 pm MT or ET?

Thanks!

#### Kendra

From: Modak, Nabanita

Sent: Wednesday, November 04, 2015 9:10 AM

To: Morrison, Kendra

Subject: RE: Database for waste

#### Hi Kendra,

Does 2 PM Thursday (tomorrow) work for you? Sorry for the short notice. If not, we can schedule a time next week to speak with you. I would like to fill you in on the type of information OAR is looking for (as you mentioned in your e-mail). This call might not take more than 15-20 min. Please let me know what time will work best for you.

## Thanks Nabanita

From: Morrison, Kendra

**Sent:** Tuesday, November 03, 2015 12:30 PM **To:** Modak, Nabanita < <u>Modak.Nabanita@epa.gov</u>>

**Subject:** RE: Database for waste

#### Hi Nabanita,

My next few days and other portions of the end of this week are filled with commitments. I could talk with you on Thursday afternoon or Friday afternoon if either of those work for you. Can you fill me in on what specific information will be helpful for you when we speak? I'll make sure I refresh my memory on all this before then and have what you need. Unless the purpose of the call is something different? Please let me know.

Thanks! Have a nice day. Kendra

From: Modak, Nabanita

Sent: Monday, November 02, 2015 2:10 PM

To: Morrison, Kendra

Subject: RE: Database for waste

Hi Kendra,

When will be a good time to call you up?

Thanks Nabanita

From: Morrison, Kendra

**Sent:** Friday, October 09, 2015 7:16 PM

To: Modak, Nabanita < Modak. Nabanita@epa.gov>

Subject: RE: Database for waste

Hi Nabanita,

Happy Friday! To address your question first, I am not aware offhand of any database that is maintained by the Region 8 states for sources regulated by OSWI. However, I suspect that a database maintained by Colorado that has information about other sources in the state may have this information too (more details about this below).

Region 8 has received negative declaration letters from Montana, North Dakota, South Dakota, and Wyoming. Most of these were from the 2006 – 2007 time frame, (b) (5)

I've circled back to

the states to inquire about these sources in recent months. For those states aforementioned, I was reminded of the negative declarations, and/or 2015 negative declarations were submitted to me (by MT and SD). I understand that Utah is in the process of making a determination about sources or the lack thereof for this rule. Colorado submitted an OSWI plan to Region 8 several years ago that was put on hold due to the status of the rule. If I recall correctly, there was only one source covered by that plan. I do know that Colorado's Air Pollution Control Division maintains a database called the Aerometric Information Retrieval System (AIRS) that contains emission and control points and data, and throughput for sources with Air Pollutant Emission Notices (APENs) and permits. I would assume that information on the OSWI source(s) may be maintained in this database. The contact person at the state is very helpful when information is needed from AIRS. I'm guessing that the Materials Management Program at the Colorado Department of Public Health and Environment would have information about the amount of waste being processed as well.

I hope this helps! Please let me know if you have any questions.

Have a nice holiday weekend, Kendra

------

Kendra A. Morrison

MS, REHS/RS

U.S. Environmental Protection Agency, Region 8
Direct Line: (303) 312-6145 Fax: (877) 876-9101
Toll Free 1-800-227-8917 in CO, MT, ND, SD, UT, WY

Drinking Water Program / Unit A Consumer Confidence Report Rule Manager, Capacity Development Coordinator State Oversight Coordinator

Air Program / Permitting, Modeling, and Monitoring Unit Solid Waste Combustor Rules Schedule:

- -- 1st, 2nd, and 3rd Friday of the month\*
- -- 4th Tuesday of the month\*
- \* During these days, I will be unable to address drinking water related inquiries and issues.

From: Modak, Nabanita

**Sent:** Thursday, October 08, 2015 1:02 PM **To:** Morrison, Kendra; Hanlon, Lisa

**Subject:** Database for waste

Hi Kendra and Lisa,

Hope this note finds both of you well. I am writing this e-mail because in past, you both have responded to the enquiries related to OSWI and I truly believe you both have been very responsive.

I was wondering if you are aware of any database (related to **OSWI**) maintained by the states. I am basically looking for database that could give us information on the following or any of the following:

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■Please let me know if you are aware of any

database maintained by the state.

Thanks for your help in advance. Nabanita

Nabanita Modak Fischer, Fuel and Incineration Group Sector Policies and Program Division Office of Air Quality Planning and Standards U.S. Environmental Protection Agency 109 TW Alexander Drive, Mail Code E143-05 RTP, N. C. 27711 (919) 541-5572

From: Morrison, Kendra

Sent: Friday, November 13, 2015 7:58 PM

To: Modak, Nabanita Subject: RE: A quick note

No problem Nabanita, thank you. I have a meeting with my supervisor on Monday morning so I'll get back to you next week to plan next steps.

Thanks! Kendra

From: Modak, Nabanita

Sent: Tuesday, November 10, 2015 9:04 AM

**To:** Morrison, Kendra **Subject:** A quick note

Hi Kendra,

I forgot to mention an important point during our OSWI discussion last week. (b) (5)

am sorry I forgot to mention this during our

conversation last week.

Thanks Nabanita

Nabanita Modak Fischer, Fuel and Incineration Group Sector Policies and Program Division Office of Air Quality Planning and Standards U.S. Environmental Protection Agency 109 TW Alexander Drive, Mail Code E143-05 RTP, N. C. 27711 (919) 541-5572

From: Sent: To: Subject:	Morrison, Kendra Friday, January 08, 2016 8:57 PM Modak, Nabanita RE: R8 call
Hi Nabanita,	
	! I apologize for the very delayed response. This week has been extremely hectic after being any commitments. My holidays were nice, and I was sad to see them go.
(b) (5)	
	o start with updates on CISWI, then ask for any questions they may have. Then provide what se on OSWI, then ask for questions. Is your calendar up to date? I can schedule a call if this is a plan.
From: Modak, Nabanita Sent: Tuesday, January 05, To: Morrison, Kendra < Mor Subject: RE: R8 call	
had a great holiday.	ays were enjoyable. I was pleasantly surprised as it was better than I expected. I hope you of UT. However, There may not be much information from us regarding OSWI (b) (5)
Talk to you soon.	
Thanks Nabanita	

From: Morrison, Kendra

Sent: Monday, January 04, 2016 12:20 PM

To: Modak, Nabanita < Modak. Nabanita@epa.gov >

Subject: R8 call

Hi Nabanita,

Happy new year! I hope your family festivities were great. It's hard to see the holiday time pass. :(

I was wondering how things are shaping on that end regarding OSWI? Utah had contacted me before I went on leave and is interested in having a conference call about CISWI and OSWI, like we did for the other states. Can we schedule that? Or is some information around the corner that you'd like to schedule a call after that time? I told Marty that I'd get back to him sometime this week about scheduling a future call.

South Dakota is the only R8 state that I didn't hear from. I'm expecting that I won't be hearing from them, so the Utah call may be our last R8 call for now.

Thanks! Kendra

\_\_\_\_\_\_

#### Kendra A. Morrison

MS, REHS/RS

U.S. Environmental Protection Agency, Region 8
Direct Line: (303) 312-6145 Fax: (877) 876-9101
Toll Free 1-800-227-8917 in CO, MT, ND, SD, UT, WY

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